

## CHAPTER 486

### COURT REPORTERS

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#### 486.01 APPOINTMENT, DUTIES, BOND; SUBSTITUTES.

Each judge, by duplicate orders filed with the court administrator and county auditor of the several counties of the judge's district, may appoint a competent stenographer as reporter of the court, to hold office during the judge's pleasure, and to act as the judge's secretary in all matters pertaining to official duties. Such reporter shall give bond to the state in the sum of \$2,000, to be approved by the appointing judge, conditioned for the faithful and impartial discharge of all the reporter's duties, which bond, with the oath of office, shall be filed with the court administrator in the county in which the judge resides.

Whenever the official reporter so appointed, because of sickness or physical disability, is temporarily unable to perform duties, the judge of the court affected may, if another official court reporter is not available, secure for the temporary period of disability of the official court reporter, another competent reporter to perform such duties for not to exceed 60 days in any calendar year. The substitute court reporter so appointed shall receive as salary an amount equal to the salary of the official court reporter for the period of time involved and shall also receive in addition thereto expenses and fees provided by sections 486.05 and 486.06. The salary of such substitute reporter shall be paid in the manner now provided by law for the payment of the salary of the official court reporter. The substitute court reporter shall not be required to furnish bond, unless ordered by the judge to do so. The employment of and the compensation paid to such substitute reporter shall in no way affect or prejudice the employment of and the compensation paid to the official court reporter of said court.

*History: (201) RL s 115; 1955 c 770 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82*

#### 486.02 STENOGRAPHIC RECORD.

Except as provided in section 484.72, a competent stenographer who meets minimum qualifications promulgated by the supreme court, shall make a complete stenographic record of all testimony given and all proceedings had before the judge upon the trial of issues of fact, with or without a jury, or before any referee appointed by such judge. In so doing the stenographer shall take down all questions in the exact language thereof, and all answers thereto precisely as given by the witness or by the sworn interpreter. The stenographer shall also record, verbatim, all objections made, and the grounds thereof as stated by counsel, all rulings thereon, all exceptions taken, all motions, orders, and admissions made and the charge to the jury. When directed so to do by the judge, the stenographer shall make a like record of any other matter or proceeding, and shall read to such judge or referee any record made by the stenographer, or transcribe the same, without charge, for any purpose in furtherance of justice.

*History: (202) RL s 116; 1981 c 303 s 2; 1986 c 444*

#### 486.03 FURNISH TRANSCRIPT; FILE RECORD.

As soon as the trial is ended the reporter or operator of electronic recording equipment shall file a stenographic report, or tape recording, thereof with the court administrator, or elsewhere, if the judge shall so direct; and, upon request of any person interested and payment or tender of fees therefor, the reporter or operator shall furnish a transcript of such record in the words and figures represented by the characters used

in making the same and for that purpose may take and retain such record so long as may be necessary, when it shall be returned to the files.

**History:** (203) *RL s 117; 1981 c 303 s 3; 1986 c 444; 1Sp1986 c 3 art 1 s 82*

#### 486.04 ACT WHEN ANOTHER JUDGE PRESIDES.

Unless otherwise directed by the appointing judge, the reporter shall serve as such in all matters heard by another judge when acting in place of the former and shall perform in relation to such matters all the duties required of the reporter by law.

**History:** (204) *RL s 118; 1986 c 444*

#### 486.05 DISTRICT COURT; REPORTERS' SALARIES AND EXPENSES.

Subdivision 1. **Salaries.** The salary for each court reporter shall be set annually by the district administrator within the range established under section 480.181 as provided in the judicial branch personnel rules.

Subd. 1a. **Expenses.** A court reporter, in addition to a salary, shall be paid necessary mileage, traveling, and hotel expenses incurred in the discharge of official duties while absent from the home chambers where the judge the reporter serves is assigned. The expenses are to be paid by the state upon presentation of a verified itemized statement approved by the judge.

Subd. 2. [Repealed, 1957 c 701 s 3]

Subd. 3. [Repealed, 1957 c 701 s 3]

**History:** (205) *RL s 119; 1909 c 108 s 1; 1921 c 170; 1939 c 289; 1941 c 442; 1943 c 89 s 1; 1945 c 423 s 1-4; 1947 c 177 s 1; 1949 c 190 s 1; 1951 c 642 s 1; 1955 c 750 s 1; 1957 c 701 s 1,2; 1959 c 264 s 1; 1961 c 310 s 1; 1963 c 679 s 1; 1967 c 727 s 1; 1969 c 919 s 1; 1971 c 567 s 1; 1973 c 111 s 1; 1973 c 123 art 5 s 7; 1975 c 241 s 1; 1978 c 780 s 1; 1981 c 133 s 1; 1985 c 273 s 2; 1Sp1985 c 13 s 361; 1989 c 335 art 3 s 25,26*

**NOTE:** Laws 1989, chapter 335, article 3, section 25, amended subdivision 1, to read as follows:

"486.05 District court; reporters' salaries and expenses.

The salary for each court reporter shall be set annually by the district administrator within the range established under section 480.181, as provided in the judicial branch personnel rules. The reporter, in addition to a salary, shall be paid necessary mileage, traveling, and hotel expenses incurred in the discharge of official duties while absent from the home chambers where the judge the reporter serves is assigned. The expenses are to be paid by the county for which the expenses were incurred upon presentation of a verified itemized statement approved by the judge; and the auditor of the county, upon presentation of the approved statement, shall issue a warrant for payment.

This subdivision supersedes all laws relating to the salary of district court reporters inconsistent with this subdivision, except the manner of setting salary in this subdivision does not apply to the second and fourth judicial districts."

#### 486.055 COURT REPORTER TRANSCRIPT FEE CHARGES; REPORTING REQUIREMENTS.

Each court reporter who charges a fee for the preparation of transcripts shall by April 15 of each year file with the district administrator of the reporter's judicial district an accounting of gross receipts and net income from these receipts for the prior calendar year. The accounting report shall specify the amount received in payment for the sale of transcripts.

**History:** 1982 c 568 s 1; 1986 c 444; 1989 c 335 art 3 s 27

#### 486.06 CHARGE FOR TRANSCRIPT.

In addition to the salary set in section 486.05, the court reporter may charge for a transcript of a record ordered by any person other than the judge 50 cents per original folio thereof and ten cents per folio for each manifold or other copy thereof when so ordered that it can be made with the original transcript. The chief judge of the judicial district may by order establish new transcript fee ceilings annually.

A court reporter may impose a fee authorized under this section only if the transcript is delivered to the person who ordered it within a reasonable time after it was ordered.

**History:** (206, 206-1) *RL s 120; 1927 c 262 s 1,3; 1953 c 452 s 1; 1973 c 111 s 2; 1973*

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*c 361 s 2; 1975 c 258 s 3; 1983 c 103 s 1; 1984 c 654 art 2 s 132; 1985 c 125 s 1; 1986 c 444; 1989 c 335 art 3 s 28*

**486.07** [Repealed, 1989 c 335 art 3 s 57 subd 3]

**486.08** [Repealed, 1957 c 701 s 3]

**486.09** [Repealed, 1961 c 561 s 17]